



COMDTINST 5721.1A
31 DEC 1992

COMMANDANT INSTRUCTION 5721.1A

Subj: Release of Information on Nuclear Weapons and Capabilities of U.S. Forces

Ref: (a) Executive Order 12356 dtd 02 Apr 82
(b) The Antarctic Treaty, TIAS 4780; 12 U.S.T. 794
(c) COMDTINST M5260.2, The Privacy and Freedom of Information Acts Manual

1. PURPOSE. To promulgate a Coast Guard directive for adherence to the standard and uniform policy of the United States Government concerning the release of information about nuclear weapons and capabilities of U.S. Forces.
2. DIRECTIVES AFFECTED. Commandant Instruction 5721.1 is cancelled.
3. DISCUSSION.
 - a. Reference (a) states that in the interest of national security, it is necessary to safeguard information relating to nuclear weapons and capabilities of U.S. Forces. In a highly publicized address on 27 September 1991, the President mandated that all tactical nuclear weapons be removed from U.S. surface ships, attack submarines, and naval aircraft. Subsequently on 2 July 1992, it was announced that the removal was complete.
 - b. The President's address led to a review of the "neither-confirm-nor-deny" (NCND) policy by the U.S. Government. The results of the review determined that a NCND policy should remain in effect for all U.S. armed forces. New statements were developed to be used by U.S. forces when responding to questions about nuclear weapon deployment. The statements became effective 2 July 1992 and are listed in paragraphs 4.b and 4.c of this instruction.

COMDTINST 5721.1A

- c. As a military service and branch of the Armed Forces of the United States, the Coast Guard must ensure that it does not breach this uniform national policy. Standardization is necessary to prevent inferences or assumptions about the presence of nuclear weapons or components on board military ships, stations or aircraft. Inaccurate or distorted information with respect to the location of nuclear weapons or components could be as damaging to the security of the United States as revealing accurate information.
- d. Agreed measures in furtherance of reference (b) require that "the names, types, numbers, descriptions and armaments of ships, aircraft and other vehicles introduced into the Antarctic Treaty Area and information on military equipment, if any, and its location in the area" be provided to the signatory nations prior to 30 November each year. These facilities are subject to full inspection by signatory parties to ensure compliance. The United States adheres to the provisions of this treaty. Therefore, it is appropriate that inquiries concerning icebreakers in the Antarctic Treaty Area be referred to the information exchange notice published by the National Science Foundation. Reference to that notification is only appropriate while the vessels are deployed in support of the U.S. Antarctic Program.
- e. The requirements stated in paragraph 4 below are regulatory and mandatory. The requirements apply to and are binding on all personnel subject to the Uniform Code of Military Justice. Violation of any provision contained in paragraph 3 of this instruction is punishable in accordance with the Uniform Code of Military Justice. Under sections 5.3.(b) and 5.4 of reference (a), civilian employees of the United States Government, and its contractors, licenses, and grantees are subject to sanctions for knowingly and willfully violating provisions of this instruction.

4. POLICY.

- a. Personnel shall not reveal, purport to reveal, or cause to be revealed any information, rumor or speculation with respect to the presence or absence of nuclear weapons or components on board any ship, station or aircraft. Statements shall not be made either on one's own initiative or in response, direct or indirect, to any inquiry. These provisions apply without regard to the accuracy of such information, rumor or speculation, and without regard to the belief of such member of the Coast Guard as to the accuracy of such information, rumor, or speculation.
- b. Personnel who receive or are informed of any request, oral or written, for information or assurances with respect to the presence or absence of nuclear weapons or components

on board any ship, station or aircraft shall not provide any such information or assurance. With the exception of shore units and Coast Guard vessels operating in support of the U.S. Antarctic Program, the proper response is listed below:

It is general U.S. policy not to deploy nuclear weapons aboard surface ships and naval aircraft. However, we do not discuss the presence or absence of nuclear weapons aboard specific ships or aircraft.

- c. The response to inquiries concerning Coast Guard icebreakers deployed in support of the U.S. Antarctic Program shall be guided by references (b) and (c). The following statement is authorized:

Upon ratification of The Antarctic Treaty on 23 June 1961, the United States recognized that Antarctica shall continue forever to be used exclusively for peaceful purposes and shall not become the scene or object of international discord; By ratifying the Treaty the United States and all signatories undertook to "use Antarctica for peaceful purposes only"; We are aware of our commitments under that Treaty and are in full compliance with those commitments.

Other provisions of this section apply when icebreakers are not deployed in support of the U.S. Antarctic Program.

- d. The response to inquiries concerning Coast Guard shore units is listed below:

It is the policy of the U.S. government to neither confirm nor deny the presence or absence of nuclear weapons at any general or specific location.

- e. Personnel responding to inquiries for information covered under this instruction shall notify Commandant (G-CP) by the most expeditious means available. Such referral does not constitute violation of this policy.
- f. Requests citing the Freedom of Information Act (FOIA) shall be handled per reference (c).

5. **ACTION.**

- a. Area and district commanders, commanders of maintenance and logistics commands, unit commanding officers and Commander, Coast Guard Activities Europe shall ensure widest possible dissemination of this instruction and make sure that each member is aware of his or her responsibility to adhere to the policies set forth herein.

/s/ R. A. Appelbaum
Chief, Office of Law Enforcement
and Defense Operations